

### III. REMARKS

#### A. STATUS OF THE CLAIMS

Claims 1-3 and 16-20 were pending in this application. Claims 4-14, 18 and 19 were previously canceled. Claims 39-45 were previously added.

Applicants believe that *no new subject matter* has been added to the claims by these amendments.

#### B. APPLICANTS ELECTION OF SPECIES

Applicants previously elected (*See Reply mailed on April 20, 2009*) claim 38 to 45, directed towards a method of removing unincorporated dye terminators from an unpurified DNA sequencing reaction product, without traverse.

However, the Action Office contends that the *Reply mailed on April 20, 2009* was not fully responsive to the Office Action mailed March 18, 2009 because Applicants failed to elect for each of the listed species elections (i.e., a-e).

Without acquiescing to the validity of this election of specific requirement, and solely in order to be responsive to the request for an election of species, Applicants elect the following species of claims 38 to 45, pursuant to page 3, of the Office Action mailed March 18, 2009:

Species a) wherein the guanidine is added the addition of the sequencing reaction product (see claim 24);

Species b) wherein in step (d) the ultrafiltration membrane has a molecular cutoff between about 3,000 and 15,000 Daltons (see claim 27);

Species c) wherein in step (c) guanidine comprises guanidine hydrochloride (see claim 29);

Species d) further comprising resuspending said purified DNA sequencing reaction product in a low ionic solution selected from the group consisting of water, formamide and mixtures thereof (see claim 33); and

Species e) further comprising transferring said resuspended sequencing reaction product to a substrate for sequencing (see claim 34).

Applicants reserve the right to pursue the claims as originally filed in this or a separate application(s). Accordingly, upon the entry of the present amendments, claims 1-3 and 16, 17 and 20-45 will remain pending.

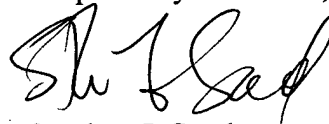
No amendment of the inventors is necessitated by this election or cancellation of non-elected Groups.

Applicants believe the above response is a complete response to the present office action. If however the examiner believes that some requirement has been missed or not completely answered,

#### IV. CONCLUSION

Applicants believe that the above response is a complete response to the present Office Action. If however the Examiner believes that some requirement has been missed or not completely answered, the Examiner is invited to contact Applicants' attorney at the number below. The Commissioner is hereby authorized to charge any deficiency in the fees or credit any overpayment to our deposit account No. 133577, referencing Attorney Docket No. MCA-614US.

Respectfully submitted,

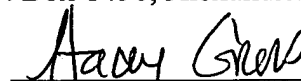


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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **October 28, 2009**.

  
Stacey Gross